

Meeting Minutes for Special and Regular Council Meetings, October 8, 2002
Senior and Community Center, 1225 Ralston Avenue, Belmont.

SPECIAL MEETING: TIME 7:00 P.M.

CLOSED SESSION

A. Conference with Real Property Negotiator City Manager Kersnar, pursuant to Government Code Section 54956.8:

1. APN 043-203-300

Attended by Councilmembers Cook, Metropulos, Wright, Bauer, and Warden. City Manager Kersnar, Assistant City Manager Rich, and City Attorney Savaree. Recording Secretary Kern was excused from attending.

Adjournment at this time, being 7:20 P.M.

George Metropulos

Clerk Pro Tem

Meeting not tape-recorded

REGULAR MEETING - 7:30 P.M.

ROLL CALL

COUNCILMEMBERS PRESENT: Metropulos, Cook, Wright, Bauer, Warden

COUNCILMEMBERS ABSENT: None

Staff Present: City Manager Kersnar, Assistant City Manager Rich, City Attorney Savaree, Community Development Director Ewing, Public Works Director Davis, Police Chief Janke, Parks and Recreation Director Mittelstadt, Human Resources Director Dolan, Finance Director Fil, Assistant Finance Director Park, Recording Secretary Kern

ANNOUNCEMENT OF CLOSED SESSION ITEMS

Mayor Warden reported that at the Closed Session, direction was given, but no action taken.

PUBLIC COMMENTS AND ANNOUNCEMENTS

Mr. Gross, 2556 Hallmark Drive, invited everyone to attend their annual block party and Fun Run on October 20, which would help support the local schools.

COUNCIL MEMBER COMMENTS AND ANNOUNCEMENTS

C. Metropulos announced that the Notre Dame de Namur University would open their pumpkin patch on October 12th, and all proceeds would help support the theatre and holiday play "The Christmas Carol".

C. Bauer reported that he had attended the annual League of California Cities conference and stated that the speakers had been very informative.

Mayor Warden announced that the City Clerk Candidates forum, moderated by the League of Women Voters would be held this Thursday and would be taped to be rebroadcast on Channel 26 at various times until the election.

Mayor Warden presented the Belmont Answer Book that is being distributed to Belmont residents, and was not produced at taxpayer expense. He requested that a letter be sent to San Carlos thanking them.

AGENDA AMENDMENTS

Mayor Warden announced that agenda item 4-C and 4-G would be removed from the Consent Calendar for separate consideration.

CONSENT CALENDAR

Approval of meeting minutes: September 10, 2002.

Approval of Warrant List Dated: Combined reports dated September 13 and September 20 for a total of \$384,563.61 and dated September 27 for a total of \$187,418.67.

Motion to approve Claims Management Report. (None)

Motion to waive reading of Ordinances.

Resolution No. 9319 authorizing the Finance Director to amend the Fiscal Year 02/03 budget and Human Resources Director to amend the Compensation Plan to reflect the addition of the Public Works Services Manager, Senior Mechanic, Senior Maintenance Worker and Maintenance Worker I Position and eliminating the Public Works Superintendent, Chief

Mechanic, Traffic Safety Specialist and Source Control Program Coordinator Positions in the Public Works Department.

Motion to accept 2nd THINK Mobile from Hayward Ford.

Consent Calendar approved as amended. On motion by C. Wright, seconded by C. Cook, and approved unanimously, by show of hands.

ITEMS REMOVED FROM CONSENT CALENDAR FOR SEPARATE CONSIDERATION

Written Communication Rec. 10/2/02 draft decision of ALJ Wetzell, A. 97-12-020 PG&E Authority to increase Rates and Charges.

C. Bauer expressed concerns regarding PG&E's request to increase rates and charges.

Action: on motion by C. Bauer, seconded by C. Wright, and approved unanimously, by show of hands to accept Written Communication.

Motion accepting Financial Statements for the City of Belmont FY 01-02.

Comprehensive Annual Financial Report (CAFR)

Ralston/Harbor/Holly Grade Separation Project

Southern San Mateo Police Authority

Pedestrian and Bicycle Program

Agreed Upon Procedures Report on Compliance with Proposition 111 (City)

Independent Auditor's Report on Management's Assertion (Measure A)

Memorandum on Internal Control Structure and Corrective Action Plan

Mayor Warden thanked the Finance Department for the Comprehensive Financial Statements.

Action: on motion by C. Metropulos, seconded by C. Wright, and approved unanimously, by show of hands, to accept Financial Statements for FY 01-02.

PUBLIC/HEARING

Consideration of an adoption of an Ordinance amending Chapter 7 of the City Code: adopting By reference the 2001 edition of the California Building Standards Code, California Code of Regulations Title 24 (CCR, T-24), incorporating the 1997 Uniform Building Code, Volumes 1 and 2, as published by the International Conference of Building Officials (ICBO), State Housing Law, the California Code of Regulations, Title 25, Division 1, Chapter 1, Subchapter 1, Section 32 (CCR, T-25), 1997 Uniform Administrative Code, 2000 Uniform Plumbing Code as published by the International Association of Plumbing and Mechanical Officials (IAPMO), 2000 Uniform Mechanical Code as published by the International Association of Plumbing and Mechanical Officials (IAPMO), 1999 National Electrical Code as published by the National Fire Protection Agency (NFPA), 1997 Uniform Housing Code, Chapters 4, 5, 6, and Sections 701.2 and 701.3, 1997 Uniform Code For Building Conservation, and 1997 Uniform Code for the Abatement of Dangerous Buildings with amendments and modifications thereto.

Building Official Cyr explained that the City had received a challenge regarding the adoption of Pex tubing. He said he was requesting that this language be struck from the Ordinance. He said questions had been raised regarding Section 904.2 - fire extinguishing systems. He said staff would return with a clarification at the next meeting.

City Manager Kersnar stated that City Attorney Savaree had advised staff that this if the Pex tubing language was removed from the ordinance, this would be a significant change, and thus the Ordinance could not be adopted at this meeting. He suggested that this be considered the first reading of the ordinance, and staff would provide an amended ordinance at the next meeting for second reading and adoption.

In response to C. Wright, Building Official Cyr stated that the Building Division had never received an application regarding the use of this pipe within the City of Belmont.

Mayor Warden opened the Public Hearing.

Mr. Bizal, 6285 E. Spring, Long Beach, CA National Fire Protection Association, stated that his organization applauded the adoption of these codes. He said his organization was a leader in Fire Standards and no single interest group dominate, but includes a balance of interests. He clarified that NFPA had not reneged on the development of a Code Set for the United States and the International Building Code is not adopted in 25 states, but was adopted in certain parts of the Country. Mr. Bizal stated that the Western States were reviewing options in the Codes and determining what to adopt as a standard. He said he hoped that the local building official would participate in this review.

Mr. Oates, 304 Alameda, spoke favorably about the National Fire Protection Association and said he thought it was unfair to say they were influenced by anyone other than its members. He said they had developed a standard that the industry depended on.

Mr. McMullen, 1260 Lake Blvd, Davis, representing the Western Fire Chiefs Association, stated that he supported Council's adoption of these new codes. He said he also agreed that the Pex pipe Section of the Code should be deleted. He said that NFPA have brought wonderful ideas to the State of California.

Mr. Mozingo, **Governmental** Affairs Director, San Mateo County Association of Realtors, expressed his concerns about the requirement for fire sprinklers for 2,500 s.f mentioned in Section 904.2.1.2 for existing single family dwellings, duplexes and triplexes. He said he spoke to the Fire Marshall, who indicated that these sprinklers would not be required, if a homeowner was adding a bedroom. Mr. Mozingo requested that Council consider excluding garages from the 2,500 s.f threshold, because this was a protection for life and safety.

In response to Mayor Warden, Building Official Cyr stated that the 2,500 sf included living space and attached garages or carports.

City Manager Kersnar explained that this ordinance was intended to duplicate the Fire Code. He reported that the Fire Marshal and Building Official would be discussing this square footage issue and return with a report to in the near future. He said that he thought the Council could adopt the Building Code at the next meeting, and if there were changes to the code, a new ordinance could be adopted at a later date

Action: on motion by C. Wright, seconded by C. Cook, and approved unanimously, by show of hands to: continue the public hearing to October 22, 2002, amend the Ordinance by removing Section 7-41-02 exception "e"

and Section 7-41-03 Purpose for exception "e". Second Reading and adoption on October 22, 2002.

OLD BUSINESS

Council Priority Calendar – Step 3: Adopting the Calendar.

Assistant City Manager Rich explained that Council reviewed 34 new items and ranked 28. He stated that staff had reviewed these items and concluded that they could initiate 9 projects over the next 6 months. He explained that the items that had been ranked, but not listed, would be placed on the "Below Line" list and would return in February for ranking again. Assistant City Manager Rich stated that staff had provided milestones for these project, so a Priority Calendar could be developed. He explained that this project tracking system would be used over the next six months.

Assistant City Manager Rich explained that staff was recommending adoption of the Project Description Forms, approval of the Priority Calendar and cancellation of the City Council meeting on December 24th.

Mayor Warden asked why the project description form had been changed for the Teen Center to Teen Services.

Assistant City Manager Rich stated that because there wasn't any funding for a teen center, staff thought it would be appropriate to look at a broad range of options for teen services.

Mayor Warden stated that he did not want to spend funds on a study and then not implement it. He would rather look at the budget to find funding, because there was a need to provide something for the teens.

Parks and Recreation Director Mittelstadt explained that this study could include looking at the space available at the Barrett Community Center to expand their current facilities.

Mayor Warden said he would like to have staff come back with a recommendation to expand the existing facilities and use funding to add some recreational games for the teens to use.

City Manager Kersnar said that the reason the wording was expanded was to allow staff to look at various options to meet the needs of the teens.

In response to C. Bauer, Public Works Director Davis explained that the Road Plans item on the Public Works list, was for right-of-way issues, not pavement management.

Council concurred this Priority Calendar was an excellent tool to use to manage the workload, and provide a timetable for projects to be completed in a timely fashion.

Action: on motion by C. Wright, seconded by C. Cook, and approved unanimously, by show of hands, to approve updated Project Description Forms, the Council Priority Calendar and cancellation of the Council meeting on December 24.

Motion to appoint Green Task Force Members and appointment of Councilmember.

Parks and Recreation Director Mittelstadt stated that staff was recommending that Council appoint the members of the Green Task Force, with the addition of Finance Commissioner Bob Ledoux.

He requested that Council appoint a Councilmember to serve and complete the group.

Parks and Recreation Director Mittelstadt explained that a facilitator would be hired to help the Task Force review their role and responsibilities. He said that staff would return with a contract for this person, so the process could begin in late November or early December. He said he thought the task force would meet once a month for the first few months, and then increase the number as needed.

C. Cook suggested that the charge for this task force be posted during the meetings to keep everyone focused. She said she did not think the open space area of the City to be studied was well defined.

C. Wright said he would like to wait until the Task Force had its mid-process check-in and then Council could provide input, and redirect the focus if necessary.

In response to C. Bauer, City Manager Kersnar explained that the funding for the consultant would come from the Council Contingency Fund. He explained that there was \$100,000 in this fund, and this was the type of project this fund could be used for.

Action: on motion by C. Wright, seconded by C. Cook, and approved unanimously, by show of hands to appoint C. Warden as the delegate, and C. Metropulos as the alternate to the Green Task Force.

Action: on motion by C. Cook, seconded by C. Bauer, and approved unanimously, by show of hands to appoint the Green Task Force Members.

MATTERS OF COUNCIL INTEREST/CLARIFICATION

Discussion and direction to amend Agenda to discontinue the 7:15 Study Session. (C. Warden)

Following discussion Council instructed staff to revise the protocols and return at the next meeting with new language.

ADJOURNMENT at this time, being 8:27 P.M., this meeting was adjourned.

George Metropulos

Clerk Pro Tem

Meeting tape-recorded and videotaped

Tape No. 536